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SUBJECT GROUP 1700-1799 MORALE AND PERSONAL AFFAIRS

SUBGROUP 1772 - SURVIVORS' BENEFITS

1772.1 Duties and Responsibilities in Connection with the Decedent Affairs Program - Current Dead

a. Eligibility. The personnel eligible and the benefits to which entitled under the Decedent Affairs Program are listed in NAVMEDCOMINST 5360.1 series (Decedent Affairs Manual), and includes Navy and Marine Corps personnel who die while serving on extended active duty, on active duty for training, and on inactive duty training.

b. Local Civil Laws. Activities shall comply with all local, municipal, county and state laws in connection with decedent affairs matters. Since the local medical examiner/coroner has jurisdiction of deaths that occur on Navy property, he should be informed of the death immediately, and should be requested to act. The law will vary in different areas; however, the following generally will apply:

(1) The local police, shore patrol, or Naval Medical Center will notify the medical examiner upon the death of any person from violence, accident, drowning, suddenly when in apparent good health, when unattended by a physician or in any suspicious, unusual, or unnatural manner. The remains may not be moved until authorized by the medical examiner and the Naval Criminal Investigative Service (NCIS).

(2) All deaths must be registered with the local civil authority at the place where the death occurred. Although the certificate is prepared by the physician last in attendance of the deceased, or by the medical examiner, the funeral director is responsible to ensure that all information required on the death certificate is entered thereon, and that the death certificate is filed with the local registrar.

(3) The local funeral director will obtain the necessary permits and is responsible for compliance with all municipal, county, and state laws.

c. Aircraft Accidents. OPNAVINST 3750.6 series outlines the investigating and reporting procedures for aircraft accidents and assigns responsibilities for the foregoing to certain Navy and Marine Corps aviation activities. In connection with those investigations, the responsible activity normally transfers the remains of all fatalities to a medical facility having a care-of-the-dead contract for custody and for decedent affairs functions after completion of the investigation. In view of the foregoing, and in order to avoid duplication and confusion, action will be taken in connection with decedent affairs matters by Naval Medical Center (NAVMEDCEN),

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Portsmouth. Decedent Affairs will make all arrangements concerning transportation, delivery of remains for autopsy examination, and disposition in accordance with the desires of the next of kin (NOK).

d. Decedent Affairs Information. Urgent information concerning decedent affairs matters not covered in this instruction and the above references may be obtained by telephoning NAVMEDCEN Portsmouth. Commercial (757) 953-2617/2618. After normal working hours page Decedent Affairs personnel at (757) 682-1204 or 682-1187. These pagers are digital pagers requiring input of a phone number to call. If necessary, Duty Office phone number is (757) 953-5008, 953-5009, or 953-5010.

e. Multiple Deaths of Members of Armed Services. NAVMEDCOMINST 5360.1 series outlines the policy in connection with decedent affairs functions in the event of multiple deaths of members of two or more services resulting from disasters or major accidents, and assigns the duties and responsibilities of the military installation nearest to the scene of such disaster or major accident.

f. Liaison. Activities shall establish and maintain liaison with the local medical examiner/coroner and police, and request that the Navy or Marine Corps activity and NCIS be notified immediately in the event of the death of military personnel.

g. Investigations. Boards of investigation or other appropriate military authority, with concurrence of the NCIS (if appropriate as a matter under NCIS investigative responsibility), shall release the remains for preparation and encasement as expeditiously as circumstances permit, in order to avoid any delay in the shipment of remains. The release of the remains must be in writing or by priority message.

h. Autopsies. Information concerning the necessity and authority for conducting postmortem examinations is contained in Chapter 17, Manual for the Medical Department and the Joint Armed Services Autopsy Manual (NAVMED P-5065). Autopsies should always be conducted whenever any person dies as a result of violence, accident, drowning, when unattended by a physician or in any suspicious, unusual or unnatural manner.

i. Definitions. For purposes of this directive the terms used to designate duties and responsibilities are defined as follows:

(1) The parent activity is the ship, unit, or activity that has possession of the service record of the deceased at the time of death. When the service record is in the possession of the deceased at the time of death, the cognizant activity will assume the duties of the parent activity.

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(2) The cognizant activity is the unit or activity, Navy or Marine Corps, as appropriate, of the military service of the deceased that is located nearest by road miles to the place where the remains are located or the unit or activity specifically designated by NAVMEDCEN Portsmouth.

(3) The contract activity is the Armed Forces facility that has a care-of-the-dead contract for the area in which the remains are located. When the deaths of Navy and Marine Corps personnel occur in areas not covered by Armed Forces care-of-the-dead contracts, NAVMEDCEN Portsmouth will assume the duties and responsibilities of the contract activity.

(4) If the cognizant or contract activities are unknown or uncertain, ships and activities should request assistance of the Decedent Affairs Officer, NAVMEDCEN Portsmouth.

j. Parent Activity. Immediately upon receipt of information of the death of a member of the parent activity, regardless of source, the parent activity will take the following action, as appropriate:

(1) Regardless of the hour of the day, provide all available information concerning the death, via telephone, to NAVMEDCEN, Portsmouth, after normal working hours contact the Duty Officer and the nearest NCIS Resident Agency.

(2) If the death occurred within the Commonwealth of Virginia, NAVMEDCEN Portsmouth will assume all the duties of the cognizant activity for the Care of the Dead Program.

(3) If information concerning the death is unconfirmed, and the reported death occurred at a place in excess of 50 miles from parent activity, initiate a phone call citing briefly all pertinent information available, including duty status, to NAVMEDCEN Portsmouth, and request the Decedent Affairs Office to investigate the unconfirmed report.

(4) Notify SECNAV and ensure that information copies are addressed to the proper bureaus and commands, including the contract activity.

(5) Make appropriate notification to the NOK through CACO coordination. Ensure that information copies of the messages sent and replies thereto are addressed to the contract activity, COMNAVREG MIDLANT NORFOLK VA//N101//, and NAVMEDCEN PORTSMOUTH VA//0210C//.

(6) When requested by NAVMEDCEN Portsmouth, provide an escort and suitable burial uniform for the deceased. Escort will be designated separately from the CACO. Decedent Affairs Office will coordinate all the escort arrangements with the parent command concerning per diem and transportation.

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(7) Make proper disposition of the personal effects of the deceased in accordance with BUPERSINST 1770.3 series.

(8) Copies of Virginia state death certificates for record purposes and for next of kin will be coordinated by Decedent Affairs Office.

(9) Close the health record, and prepare and submit other reports in accordance with current instructions.

k. Cognizant Activity. Immediately upon receipt of information of the death of a member of the Navy or Marine Corps, regardless of source, the cognizant activity will take the following action:

(1) Regardless of the hour of the day, all available information concerning the death must be reported to NAVMEDCEN Portsmouth and the nearest NCIS Resident Agency.

(2) Positively identify the remains. Decedent Affairs will assist with information on proper procedures for identification.

(3) Notify the parent command and request the parent command notify SECNAV. Provide all pertinent information available and state whether or not the NOK is/was present and whether or not the NOK has been notified and, if notified, state the name of the person or activity that notified the NOK. If the parent command is unknown, notify Commander, Naval Personnel Command (COMNAVPERSCOM) or the Commandant of the Marine Corps, as appropriate. Include COMNAVREG MIDLANT NORFOLK VA//N101//, NAVMEDCEN PORTSMOUTH VA//0210C// as INFO addressee on the Personnel Casualty Report.

(4) Collect and inventory the personal effects of the deceased, and forward them to the parent activity for disposition. If there are no personal effects, or if the personal effects were released to the NOK by the local police, make appropriate notification to the parent activity.

(5) Transportation arrangements for the remains and escort, and message notification of shipment to consignee and NOK will be made by NAVMEDCEN Portsmouth.

(6) To submit bills for non-federal treatment, hospitalization, and ambulance services rendered prior to death, use Form NAVMED 6320/10 and call the local TRICARE Service Center for proper instructions.

(7) NAVMEDCEN Portsmouth, in conjunction with the member's command, will take the necessary action to provide an escort and burial uniform, and will authorize the appropriate Navy accounting data for the transportation of both the remains and escort.

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(8) If the death occurs in a non-contract area in the Commonwealth of Virginia, NAVMEDCEN Portsmouth will contact the Military Medical Support Office in Great Lakes, IL, who will negotiate a one-time contract with a local funeral home for the preparation and encasement of the remains. Assistance of the parent and cognizant activities will be requested, as the circumstances require.

1. Information Required by Contracting Activity. In order to carry out their responsibilities for decedent affairs functions, the contract activity must know the duty status of the deceased at the time of his death, the positive identity of the remains, the name and address of the primary NOK, the decedent affairs benefits to which entitled, and the NOK's instructions for disposition of the remains.

m. Ships and Mobile Units. Ships, and Navy and Marine Corps mobile units will comply with the provisions of this instruction, as appropriate and ensure all actions are completed prior to departure, i.e., service record, pay record, medical and dental records, and personal effects of the deceased will be transferred to the Navy or Marine Corps base, as appropriate, for completion of the required action, and the ship or mobile unit will notify all commands concerned of such transfer.

n. Disaster Plans. All activities shall contact NAVMEDCEN Portsmouth Decedent Affairs Office for collection of the dead, for proper identification and disposition of the remains in a disaster case.